

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JASON TIPTON,

Plaintiff,

v.

**Civil Action 2:11-cv-719
Judge Michael H. Watson
Magistrate Judge E.A. Preston Deavers**

GARY MOHR, *et al.*,

Defendants.

ORDER

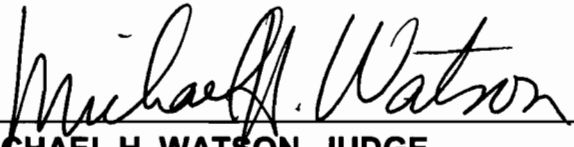
This matter is before the Court for consideration of the December 22, 2011 Order and Report and Recommendation of the Magistrate Judge. (ECF No. 32.) The Magistrate Judge recommended that the Court deny Plaintiff's Motion to Certify Class Action and Request for Preliminary Injunction. (ECF Nos. 11, 13.)

The Report and Recommendation of the Magistrate Judge specifically advised the parties that failure to object to the Report and Recommendation within fourteen days results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Order & Report & Recommendation 7, ECF No. 32.) The time period for filing objections to the Report and Recommendation has expired. No party has objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the

time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly, Plaintiff's Motion to Certify Class Action and Request for Preliminary Injunction are **DENIED**. (ECF Nos. 11, 13.)

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT